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Written statement* submitted by the Maat for Peace, Development and Human Rights Association, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human rights situation of Rohingya people

Introduction

Since 2012, Myanmar authorities have been waging a campaign of casted-based violence against the Rohingya minority, a predominantly Muslim ethnic group of 1.1 million people--according to UN estimates, most of them live in the state of Arcan, western Myanmar, on the border with Bangladesh, and they lived in Myanmar for generations, however, the Government of Myanmar insists that all Rohingyas are illegal immigrants from Bangladesh and refuses to recognize them as nationals, most of whom are stateless.

Ethnic cleansing against Rohingya Muslims

The crimes committed by the Myanmar Army and other armed groups of extremists under the consideration of state bodies proves to be ethnic cleansing. Last year, these repressive and punitive measures by the authorities against the Muslim minority have escalated since August 2017, the security forces have been conducting a systematic campaign of violence against the Rohingya minority in Arakan State, with the help of ethnic Rakhine militias, such campaign killed an unspecified number of Rohingya women, men and children, and torture and ill-treatment of Rohingya women and girls, including rape and exposing them to other forms of sexual violence, they laid landmines and systematically burned hundreds of Rohingya villages, according to the applicable information, there are approximately 350 villages that have been fully or partially destroyed, while the authorities of Myanmar do not cooperate with international human rights organizations or UN mechanisms to end these massacres and appalling human rights violations.
Certainly, the numbers reported or published on media are far less than the real number, as many rape victims are forced not to report for fear of widespread societal influence on them.

The displacement and asylum

More than 688,000 refugees from Myanmar fled to Bangladesh in search of safe havens as a result of the continuous violence by security forces against the Muslim population Rohingya in Arakan state, and more than 120,000 people, mostly Rohingyas, have been living in camps for displaced persons in unbearable condition in Rakhine 1 state, where they have been stuck for six years, following the violence in 2012, as well as the temporary displacement of around 30,000 people to other areas in the state of Arkan, the Army forcibly evicted the Rohingya people from their land and built new military bases to haven army and police officers on the land to ensure that villagers had no choice but to flee to Bangladesh 2 .

The Bangladeshi Foreign Minister stated earlier that the Myanmar government had shown interest in repatriating Rohingya refugees following a meeting between officials from both countries. Maat for Peace, Development and Human Rights Association expresses its concern that the Rohingya refugees would be forced to return, without the minimum level of protection, which puts them at risk of serious violations of human rights. The forcible reparation of refugees that constitutes a violation of the principle of "non-refoulement", a principle of customary and international law that prohibits the return of persons to areas where they may face a life or other grave human rights violation.
The authorities in Myanmar have stated that all repatriated refugees will have to undergo a "verification" process and may be required to provide proof of their nationality or residence in Myanmar 3 .

Grande: Restoration of rights is essential to the return of Rohinga refugees, UNHCR, United Nations, February 13, 2018.
Https://bit.ly/2rnfAKO
Myanmar: Army seizes land as security forces build military bases on the ruins of the burnt Rohingya villages, .Amnesty International, March 12, 2018
Https://www.amnesty.org/ar/latest/news/2018/03/myanmar-military-land-grab-as-security-forces-build-bases-on-/torched-rohingya-villages
Refugees from Rohingya should not be forced to return to their homes where violations and discrimination, Amnesty International, October 4, 2017.
https://www.amnesty.org/ar/latest/news/2017/10/myanmar-bangladesh-rohingya-refugees-must-not-be-forced-home-/to-abuses-and-discrimination

Do not allow humanitarian assistance

The severe restrictions imposed by the Myanmar authorities on access to humanitarian assistance continued, with humanitarian organizations being requested to follow complex procedures for a permit to provide services to vulnerable communities, placing hundreds of thousands of people under threat. In the northern state of Aragua, the authorities fully suspended access to aid, following attacks by the Rohingya rescue army in Arakan "in August 2017, the authorities subsequently allowed the Red Cross and the World Food Programme (WFP) to work in the area, but aid access was limited, and insufficient to meet the needs.

In other parts of Arakan, aid delivery has been further disrupted by local tensions towards international aid societies, and the authorities have imposed further restrictions on access to displaced populations in northern Myanmar, in particular, in areas not under the control the government. In February, the Myanmar Army obstructed the delivery of 200 units of "medical aids", sealed with the UN stamp — which included basic medical equipment – for displaced women and girls in areas under the control of the Kachin 4 Independence Organization.

It should be noted that the Burmese Government has repeatedly stated not grant entry permission to members of the United Nations Mission of fact-finding, established by the United Nations Human Rights Council in March 2017. In December 2017, the UN General Assembly issued a resolution urging Burma to give full access to international missions it is unrestricted and unmonitored, and the government has also prevented independent journalists and human rights monitors from reaching the affected areas in Rakhine state. It continued to impose severe restrictions on access to humanitarian agencies, compounding the dire humanitarian conditions facing internally displaced persons and other residents.

Deprivation of nationality

The Myanmar authorities use discriminatory laws and practices against Rohingyas, in particular the 1982 nationality Act, which has effectively deprived Rohingya of nationality on the basis of their ethnicity, as well as illegal procedures and practices that place obstacles in the way of birth registration.

Restriction of freedom of movement

Rohingya live in the state of Arkan, isolated from the outside world and face severe restrictions on their freedom of movement that restricts them in their villages and towns, and is being applied these restrictions are through a complex network of national laws, local orders, and policies implemented by state officials that demonstrate a racial conduct.
Official laws show that Rohingya must undergo a complex system to obtain the necessary licenses if they want to move across the towns, the northern states of Arkan, where most of the Rohingya lived before the recent mass immigration, where authorities recently embodied arbitrary restrictions to movement among villages. While in some areas of the center of Arakan, travel was possible only through waterways.

In September 2017, the Kayin state authorities issued an order to bring all Muslims in the state before the local authorities before traveling, and although the chief minister of the state of Kayin later reported that it was an administrative error, some human rights reports indicated that restrictions on travel are still imposed so far.

Freedom of religion and belief

There was a sharp rise in religious intolerance and anti-Muslim sentiment, following the attacks in the state of Arakan last August. The Government has further aggravated the situation by allowing and directly contributing to hate speech, thereby inciting discrimination and violence both in print media and on the Internet. The state media published derogatory anti-Rohingya articles; Government officials also published inflammatory posts on social media.
In April 2017, a group of 50 to 100 Buddhist extremists pressured local officials and police in Thakita town of Rangoon to close two Islamic schools. The authorities implemented the group's request and did not reopen the schools. Hundreds

4 Annual Report 2017, Amnesty International, op. Cit.

of students were denied access to education after this seven local Muslims participated in public prayer on May 31, faced six months imprisonment because of public prayer under the law of district and village administration5 .

Recommendations

- The international community, in particular the United Nations, must take serious moves to pressure the government of Myanmar to stop the violence against the Rohingya minority and to investigate the violations committed and bring the perpetrators to justice.

- Allowing United Nations observers, the Truth Commission and Human rights investigators to reach the state to evaluate the current situation, as well as to allow the admission of independent observers and media representatives.

- Allow the Rohingya refugees to return home voluntarily, safely and with dignity; and the Government of Myanmar should make every effort to rebuild the communities and villages destroyed during the conflict and end the practices of discrimination and apartheid against the Rohingya.

- Repeal all discriminatory legislation and policies, including the 1982 Nationality Act, which deprived Rohingya of full nationality rights and immediately granted citizenship to Rohingya citizens.

- The need to promote freedom of movement for all persons without discrimination and to facilitate the urgent, safe and unimpeded access of humanitarian assistance to all persons in need of assistance throughout the country.

Annual report 2017, Human Rights Watch.5
https://www.hrw.org/ar/world-report/2018/country-chapters/313695